

REGULAR MEETING SEPTEMBER 27, 2010

The Regular Meeting of the Board of Trustees was held on September 27, 2010 at the Village Hall, 34 School Street, Bayville, New York 11709, at 7:30 PM.

Present were:

Trustee Kurkowski	Village Clerk Treasurer
Trustee Naughton	Maria Alfano-Hardy
Trustee Valsecchi	
Trustee Staab	Village Attorney
Trustee Rapelje	James A. Reilly
Mayor Watson	
Trustee Rupp	

Absent was:

Trustee Rapelje moved BE IT RESOLVED that the following warrants and claims are hereby offered for approval by the Board of Trustees and BE IT FURTHER RESOLVED that the Village Clerk is hereby authorized to make said payments.

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, Trustee Rapelje, aye, Mayor Watson, aye

FUND	CLAIM NO.	WARRANT		AMOUNT
GENERAL				
PAYROLL	8/25/2010	3I	\$	31,856.51
	276	3J	\$	2,431.31
	277/289	3K	\$	34,510.82
PAYROLL	9/1/2010	4A	\$	31,097.58
	290	4B	\$	2,373.51
PAYROLL	9/8/2010	4C	\$	26,627.17
	291	4D	\$	2,031.68
	292/311	4E	\$	260,870.68
PAYROLL	9/15/2010	4F	\$	26,408.94
	312	4G	\$	2,014.30
	313/394	4H	\$	199,502.18
PAYROLL	9/22/2010	4I	\$	21,660.96
	395	4J	\$	1,652.48
TOTAL GENERAL			\$	643,038.12
WATER				
PAYROLL	8/25/2010	3H	\$	4,605.29
	55	3I	\$	351.12
	56/61	3J	\$	9,873.53
PAYROLL	9/1/2010	4A	\$	4,469.94
	62	4B	\$	340.78
PAYROLL	9/8/2010	4C	\$	4,523.62
	63	4D	\$	344.88
	64/65	4E	\$	25,210.95
PAYROLL	9/15/2010	4F	\$	4,431.89
	66	4G	\$	337.88
	67/79	4H	\$	22,907.23
PAYROLL	9/22/2010	4I	\$	5,528.75
	80	4J	\$	421.52
TOTAL WATER			\$	83,347.38
TRUST & AGENCY				
	68/73	3D	\$	14,347.23
	74	3E	\$	33,523.61
	75/79	4A	\$	10,314.49
	80/85	4B	\$	9,648.95
	86/90	4C	\$	9,792.48
	91/93	4D	\$	52,691.07
	94/98	4E	\$	8,663.62
TOTAL T & A			\$	138,981.45
REVENUE ENTERPRISE				
	20/24	4A	\$	11,426.12
	25/28	4B	\$	5,538.36
TOTAL REVENUE ENTERPRISE			\$	16,964.48

REGULAR MEETING SEPTEMBER 27, 2010

CAPITAL

	9	4A	\$	71,474.00
	10/12	4B	\$	31,435.56
<b>TOTAL CAPITAL</b>			<b>\$</b>	<b>102,909.56</b>
<b>GRAND TOTAL</b>			<b>\$</b>	<b>985,240.99</b>

**RESOLUTION 2010-148**

Trustee Naughton moved BE IT RESOLVED to accept the prior month's resolutions for August 2010, as presented.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-149**

Trustee Kurkowski moved BE IT RESOLVED to accept the August 24, 2010 recommendation from Charles G. Firmbach, IAO, to refund \$35,408.59 to Porto Bay Realty, Sec. 29, Block 33, Lot 32 in settlement of tax certiorari proceeding.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-150**

Trustee Naughton moved BE IT RESOLVED to accept the August 24, 2010 recommendation from Charles G. Firmbach, IAO, to refund \$5,861.43 to Centre Island Development Corp., Sec. 28, Block 9, Lot 4 in settlement of tax certiorari proceeding.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-151**

**Mayor Watson made the following Mayoral appointment:**

**Mayor Watson appointed Christopher Vivona Nunc Pro Tunc as Deputy Village Clerk-Treasurer to fill the vacancy created by the retirement of Joanne Banco effective September 13, 2010. Term to expire the first Monday in July 2011.**

Trustee Kurkowski moved BE IT RESOLVED to accept the July 15, 2010 recommendation from Charles G. Firmbach, IAO, to refund \$4,800.00 to William Rinehardt, Sec. 28, Block 13, lot(s) 22, 24, 26-27 in settlement of tax certiorari proceeding.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-152**

Trustee Valsecchi moved BE IT RESOLVED to approve the request from Alliance Electrical Inspections Limited to perform electrical inspections within the Incorporated Village of Bayville, however, the Board requested that references are checked before the letter is sent to Alliance.

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, nay, Trustee Rapelje, nay, Mayor Watson, aye.

**RESOLUTION 2010-153**

**REGULAR MEETING SEPTEMBER 27, 2010**

Trustee Staab moved BE IT RESOLVED that Paul Yonkers is re-appointed as a member to the Architectural Review Board for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-154**

Trustee Rapelje moved BE IT RESOLVED that Anthony Giustino is re-appointed as Prosecuting Attorney for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-155**

Trustee Valsecchi moved BE IT RESOLVED that Lillian Hess Tanguay is re-appointed as a member to the Waterfront Revitalization Committee for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-156**

Trustee Staab moved BE IT RESOLVED that David Rapelje is re-appointed as Co-Director of the Museum Board for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, abstained, Mayor Watson, aye.

**RESOLUTION 2010-157**

Trustee Naughton moved BE IT RESOLVED to approve the hiring of Nikki Paris Nunc Pro Tunc as Secretary to the Board of Trustees at an annual rate of pay of \$29,500.00, effective September 13, 2009.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-158**

The Board reviewed the Senior Citizen Tax Exemption Sliding Scale Formula as presented. After some discussion, it was decided to re-check the numbers with Nassau County and reconsider this item at the next meeting.

Trustee Staab moved BE IT RESOLVED that the Mayor is authorized to sign the agreement dated September 17, 2010 with Stephen G. Limmer of Ackerman, Levine, Cullen, Brickman and Limmer, LLP, Attorneys at Law, 1010 Northern Blvd., Suite 400, Great Neck, NY 11021, to retain his services to assist the Village in connection with all tax certiorari proceedings against the Village. Rates as follows:

Partner and Senior Counsel	\$270.00
Of Counsel	\$257.00
Associate	\$100.00 - \$204.00
Paralegal	\$ 65.00 - \$ 98.00
Tax Certiorari Consultant	\$150.00

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, abstained, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-159**

**REGULAR MEETING SEPTEMBER 27, 2010**

The Board reviewed a letter received September 20, 2010 from Mark C. Sikorski of National Grid requesting a Blanket permit for the Proactive Service Replacement Program. After some discussion Mayor Watson decided to table this item until more research has been done.

Trustee Valsecchi moved BE IT RESOLVED that to clarify payroll records for the purpose of reporting hire dates to the NYS & Local Retirement System, the following hire dates are hereby noted for the record, all Nunc Pro Tunc:

Daniel Farley, July 27, 2006, Robert A Barnes, June 18, 2003, and Mark Arezzo, March 27, 2006

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-160**

Trustee Staab moved BE IT RESOLVED that the Board accepts with regret, the resignation of Louis D. Laurino from the Planning Board.

Seconded by: Trustee Valsecchi

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-161**

Trustee Rapelje moved BE IT RESOLVED that Vee Masterson is appointed as a member of the Planning Board to fill the vacancy created by the resignation of Louis D. Laurino for a term to expire the first Monday in July, 2013.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-162**

Trustee Staab moved BE IT RESOLVED to approve the hiring of Georgia Giaccone as Clerk to the Planning Board and the Architectural Review Board in addition to currently being clerk to the Zoning Board of Appeals all at \$15 per hour part time.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-163**

Trustee Naughton moved BE IT RESOLVED that the Mayor is authorized to sign the agreement from the New York State Department of Transportation (NYSDOT) for the Local Safe Streets and Traffic Calming (LSSTC) Grant Application for the Village of Bayville Bicycle, Pedestrian and Traffic Calming Improvements for Perry Avenue and Creek Road.

Seconded by: Trustee Kurkowski

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-164**

Trustee Valsecchi moved BE IT RESOLVED to approve the \$1500 salary increase for Chris Montell for the completion of CDL license requirements. The increase is effective September 30, 2010.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-165**

**REGULAR MEETING SEPTEMBER 27, 2010**

Trustee Rapelje moved BE IT RESOLVED to grant the September 21, 2010 request from the Locust Valley High School Athletic Council to utilize the roads in Bayville for their annual Homecoming Parade on October 23, 2010 from 10:30 AM to 11:30 AM. Residents will be notified on the website.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-166**

Trustee Rapelje moved BE IT RESOLVED that Susan Holifield is appointed as a member to the Beautification Committee for a term to expire the first Monday in July, 2011.

Seconded by: Trustee Naughton

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-167**

Trustee Naughton moved BE IT RESOLVED that the Board close the Regular Meeting at 8:10pm., and enter into Executive Session to discuss Union Negotiations.

Seconded by: Trustee Rapelje

Poll of the Board: Trustee Kurkowski, aye, Trustee Naughton, aye, Trustee Valsecchi, aye, Trustee Staab, aye, Trustee Rapelje, aye, Mayor Watson, aye.

**RESOLUTION 2010-168**

Meeting adjourned at 10:00pm.

Respectfully submitted,

Maria Alfano-Hardy  
Village Clerk Treasurer